

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

TAMMY RENNA BOWLING and)
TONY BOWLING,)
Plaintiffs,)
v.) No. 3:03-CV-367
WAL-MART STORES, INC.,) (Shirley)
Defendant.)

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636(c), Rule 73(b) of the Federal Rules of Civil Procedure, and the consent of the parties, for all further proceedings, including entry of judgment [Doc. 5]. The undersigned conducted a telephone conference in this matter on November 1, 2005. Participating on behalf of the plaintiffs was attorney Thomas Dossett. Participating on behalf of the defendant was attorney Charles Taylor.

During the telephone conference, the parties advised the Court that they were to have mediated this matter on October 31, 2005. However, due to a scheduling error, the mediator was not available, and the mediation was not able to proceed. The parties plan to reschedule the mediation. The plaintiffs' counsel further advised the Court that he had just received the names of two defense witnesses, whom he needs to depose, and that Ms. Bowling's treating physician had advised him that Ms. Bowling was not expected to reach maximum medical improvement until January, 2006.

For good cause shown, the plaintiffs' Motion to Continue [Doc. 18] is **GRANTED**. The trial of this matter, which is currently set to begin on November 29, 2005, shall be

CONTINUED to February 21, 2006. The pretrial conference, which is currently scheduled for November 14, 2005, will be rescheduled to January 31, 2006 at 10:00 a.m. The Court expects the parties to complete all discovery, reschedule the mediation, and obtain Ms. Bowling's impairment rating from her physician by the time of the pretrial conference.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge